

TIDEWATER MOTOR TRUCK ASSOCIATION
MICHAEL F. AGATE-PRESIDENT

DATE: 3-11-99 TIME: 11:13 AM

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ORIGINAL

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Docket Clerk, U.S.DOT Dockets
Room PL-401
400 Seventh ST SW
Washington, DC 20590
Docket No. 98-3656

To Whom It May Concern:

I represent a large group of inter-modal carriers in the Tidewater, VA area and would like to comment on the safety issue with regard to intermodal chassis and trailers.

First let me say that before we can even haul this equipment, we are forced to sign interchange agreements that hold harmless the true owners of the equipment in order to make a living in the inter-modal industry. We have for years been complaining to anyone that would listen that this equipment is old, run down, brittle with metal fatigue and dangerous.

The owners of these chassis and trailers feel that if they put a valid FHWA inspection sticker on their equipment that it is safe to leave the ports. Once out on the road we are responsible for Out of Services and mechanical or tire failures, which may or may not be paid by them depending on how the interchange agreement is interpreted. We in the trucking industry who haul this equipment are the losers when it comes down to who's responsible outside of the ports.

The owners of this equipment are the only ones with maintenance history showing major repairs from accidents, when brakes were replaced, when brakes boosters were replaced etc. This is but a small example of information we are not privy to. When we are billed by the equipment owner for defects found upon return of the equipment we are not provided with the actual invoice for the repairs only an invoice which is billed **from** the interchange receipt by a clerk who has a list of charges for varying damage and repairs.

When a trucking company tries to recoup its money spent on the road we must provide a receipt **from** the vendor with the equipment numbers and return all items that were replaced to their maintenance vendor on the port and get a receipt from that vendor before we can bill for the repairs. We wait as long as 3 to 6 months to get paid if done properly. Let me also say that their are chassis and trailer suppliers that do work hard at providing safe equipment for us to use, but there are not many.

Our membership could go on for hours with horror stories of problems we have had over the years and if a representative would like to visit our pier committee we would love to sit down with your people and discuss this issue that is so important to us.

Sincerely,



Michael F. Agate-President

cc: Chic Rosemond-Inland Transportation Committee-HRMA